

OCA FILE

SSCI



OCA 88-1669
CENTRAL INTELLIGENCE AGENCY

Office of Congressional Affairs

Washington, D.C. 20505

Telephone: 482-6136

TO: Mr. Jim Dykstra
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

25 May 1988

Enclosed is a copy of the DCI's speech
that you requested.

Deputy Director, Senate Affairs
Office of Congressional Affairs

Enclosure

Distribution:

Orig - Addressee ~~1~~ - OCA Registry
OCA/Senate/RTB:eb (25 May 88)

Chrono

FORM 2-86 1533

OBSOLETE
PREVIOUS
EDITIONS.

(40)

STAT

STAT

PROPOSED REMARKS
BY
WILLIAM H. WEBSTER
DIRECTOR OF CENTRAL INTELLIGENCE
BEFORE THE
D.C. CIRCUIT JUDICIAL CONFERENCE
WILLIAMSBURG, VA.
MAY 23, 1988

GOOD MORNING. I WAS DELIGHTED WHEN RUTH ASKED ME TO JOIN YOU FOR THIS CONFERENCE. IT'S A TREAT TO BE ABLE TO VISIT WITH YOU, TO PLAY A LITTLE TENNIS, AND TO DISCUSS MATTERS THAT CONCERN US.

THIS IS AN IMPORTANT WEEK FOR ME: THURSDAY MARKS A YEAR SINCE I WAS SWORN IN AS DIRECTOR OF CENTRAL INTELLIGENCE. MY NINE YEARS AT THE FBI -- AS WELL AS A LIFETIME OF EXPERIENCE IN THE LAW -- HAVE CONVINCED ME THAT THE INTEGRITY OF GOVERNMENT ORGANIZATIONS CAN ONLY BE MAINTAINED BY INSISTING UPON COMPLIANCE WITH OUR LAWS AND RULES -- RULES IMPOSED TO ENSURE OUR CITIZENS THAT WE ARE INDEED ACCOUNTABLE.

WHEN I CAME TO THE CIA, I SAID THAT I INTENDED TO WORK CLOSELY WITH POLICYMAKERS TO PUT TRUTH INTO ACTION. I'D LIKE TO TALK TODAY ABOUT WHAT WE AT CIA HAVE DONE DURING THIS PAST YEAR TO MAKE GOOD ON THAT PROMISE.

A YEAR AGO, THE AGENCY WAS SUBJECTED TO THE MOST SEARCHING INQUIRY INTO OUR PART IN WHAT HAS COME TO BE KNOWN AS THE IRAN-CONTRA AFFAIR. I KNEW THAT HOW WE RESPONDED TO THE FACTS REVEALED IN THE INQUIRIES INTO IRAN-CONTRA COULD SIGNIFICANTLY AFFECT OUR ABILITY TO RECAPTURE THE TRUST WE DESERVED, RESIST INTOLERABLE NEW LEGISLATIVE RESTRICTIONS, AND RETAIN THE RESOURCES NEEDED TO CARRY OUT OUR ASSIGNMENTS. AT THE SAME TIME, I KNEW THAT WHATEVER ADMINISTRATIVE ACTIONS WERE TAKEN MUST BE JUST AND MUST BE BASED UPON OUR OWN EXISTING RULES -- NOT IMPOSED FROM THE OUTSIDE AND NOT CARRIED OUT PRECIPITIOUSLY TO APPEASE AN ANGRY CONGRESS OR CRITICAL PRESS.

AFTER A CAREFUL INTERNAL REVIEW, I DETERMINED THAT AS AN INSTITUTION WE HAD PERFORMED WELL -- THAT THERE WAS NO SYSTEMIC DISRESPECT FOR AUTHORITY, RULES, AND GUIDANCE.

BUT IT WAS ALSO APPARENT THAT THERE HAD BEEN SOME VIOLATIONS OF AGENCY RULES. I ORDERED DISCIPLINARY ACTIONS IN SEVERAL CASES. IN EACH CASE, DISCIPLINE WAS BASED UPON SERIOUS VIOLATION OF EXISTING REGULATIONS OR FAILING TO GIVE CANDID RESPONSES TO OUR INSPECTOR GENERAL AND TO COMMITTEES OF CONGRESS CHARGED BY LAW WITH OVERSIGHT OF OUR WORK.

PARTLY IN RESPONSE TO LEGITIMATE CRITICISM AND PARTLY AS A RESULT OF OUR OWN INTERNAL ASSESSMENTS, WE HAVE MADE A NUMBER OF MANAGEMENT IMPROVEMENTS IN THE PAST YEAR. THESE INCLUDE NEW GUIDELINES FOR INTERNAL MONITORING AND REVIEW OF COVERT OPERATIONS, NEW GUIDELINES FOR THOSE IN CIA WHO TESTIFY BEFORE CONGRESS, AND NEW GUIDELINES FOR FORMULATING INTELLIGENCE ASSESSMENTS WITHOUT POLITICAL BIASES. I HAVE ALSO STRENGTHENED THE INSPECTOR GENERAL'S OFFICE BY BRINGING IN OUR MOST TALENTED SENIOR LEVEL

INTELLIGENCE OFFICERS FROM THROUGHOUT THE AGENCY TO SERVE ON THE INSPECTOR GENERAL'S STAFF. AND I HAVE DETERMINED THAT THE INSPECTOR GENERAL SHALL HOLD THE RANK OF DEPUTY DIRECTOR AND SHALL REPORT DIRECTLY TO ME.

I SEE THE INSPECTOR GENERAL'S CHARTER AS BROADER THAN IT HAS BEEN BEFORE. IN ADDITION TO THE NORMAL INSPECTION, INVESTIGATION, AND AUDIT ACTIVITIES, I SEE THE INSPECTOR GENERAL -- IN A POSITIVE, CONSTRUCTIVE SENSE -- DIRECTLY INVOLVED IN IMPROVING OVERALL AGENCY MANAGEMENT, ENSURING ACCOUNTABILITY AND DISCIPLINE, AND ENCOURAGING EVEN GREATER QUALITY OF PERFORMANCE. THE INSPECTOR GENERAL WILL ALSO PLAY A SIGNIFICANT ROLE IN DEVELOPING OUR TOP MANAGERS AND LEADERS OF TOMORROW.

IN ADDITION, WE HAVE BROUGHT TOGETHER OPERATIONS OFFICERS, ANALYSTS, AND SECURITY OFFICIALS IN A COUNTERINTELLIGENCE CENTER. COUNTERINTELLIGENCE IS OF

VITAL CONCERN TO OUR CURRENT NATIONAL SECURITY EFFORTS.

AND WE HAVE MOVED TO ADDRESS THIS VERY SERIOUS PROBLEM.

ANOTHER GREAT CONCERN IS THE SECURITY OF OUR EMBASSIES ABROAD. I HAVE ESTABLISHED A NEW INDEPENDENT OFFICE TO REPORT TO ME ON SECURITY CONDITIONS OVERSEAS.

AND TO MAKE CERTAIN THAT OUR COLLECTION EFFORTS AND ANALYSIS ARE RESPONDING TO THE NEEDS OF POLICYMAKERS. I MEET EVERY OTHER WEEK WITH PRESIDENT REAGAN; AND WEEKLY WITH THE SECRETARY OF STATE, SECRETARY OF DEFENSE, AND THE NATIONAL SECURITY ADVISER TO THE PRESIDENT. I ALSO ATTEND ALL NATIONAL SECURITY PLANNING GROUP MEETINGS AND CHAIR THE NATIONAL FOREIGN INTELLIGENCE BOARD MEETINGS.

I'D LIKE TO TELL YOU NOW HOW SOME OF THOSE CHANGES WE HAVE MADE AFFECT OUR DAY-TO-DAY OPERATIONS. I'LL BEGIN WITH COVERT ACTION, BECAUSE, ALTHOUGH COVERT ACTION TRADITIONALLY CLAIMS A VERY SMALL PORTION OF THE

INTELLIGENCE COMMUNITY'S RESOURCES -- ONLY ABOUT 3 PERCENT
-- THESE ACTIVITIES ARE THE FOCUS OF THE GREATEST
CONGRESSIONAL AND PUBLIC ATTENTION. UNDER THE HUGHES RYAN
AMMENDMENT, THE PRESIDENT MUST FIND THAT EACH COVERT
ACTION IS IMPORTANT TO THE NATIONAL SECURITY BEFORE THE
OPERATION CAN BE INITIATED. THE COVERT ACTION REVIEW
GROUP I HAVE ESTABLISHED MUST MEET TO REVIEW ALL PROPOSED
FINDINGS. AND IT IS INCUMBENT UPON US TO DETERMINE THAT
THE FINDING CAN BE DONE -- AND DONE IN A LAWFUL WAY. AND
WE HAVE TO BE SURE THAT THE INDIVIDUALS WHO ARE OUT ON THE
FIRING LINE, OUTSIDE THE PROTECTION OF OUR CONSTITUTION
AND OUR LAWS, IN MANY INSTANCES, CAN DO THEIR WORK IN
ACCORDANCE WITH THE FLEXIBILITY THEY NEED. MOREOVER, THEY
MUST HAVE THE CLEAREST POSSIBLE TRAINING AND UNDERSTANDING
OF THEIR RESPONSIBILITIES TO THE CIA AND TO THE COUNTRY.

THE COVERT ACTION REVIEW GROUP I HAVE ESTABLISHED ASKS THESE QUESTIONS: IS THE FINDING CONSISTENT WITH OVERT UNITED STATES POLICY? WHAT ARE THE CONSEQUENCES GOING TO BE IF THE ACTIVITY IS PUBLICLY EXPOSED? IS IT CONSISTENT WITH AMERICAN VALUES? AND WILL IT WORK? NOT ALL COVERT ACTIVITIES WILL SUCCEED, BUT I BELIEVE IF SUBJECTED TO THESE KINDS OF TESTS, AND THIS KIND OF MANAGEMENT, WE HAVE THE BEST CHANCE OF GETTING THE MAXIMUM AND MOST EFFECTIVE USE FROM OUR COVERT CABILITY.

UNDER LAW IT IS OUR DUTY TO NOTIFY THE HOUSE AND SENATE INTELLIGENCE COMMITTEES -- IN A TIMELY FASHION -- OF ANY SIGNIFICANT INTELLIGENCE ACTIVITIES. THIS INCLUDES ANY ACTIVITIES REQUIRING A PRESIDENTIAL FINDING. JUST WHAT CONSTITUTES TIMELY IS A MATTER OF CONCERN BOTH TO CONGRESS AND TO THE ADMINISTRATION. THE HOUSE IS CONSIDERING AND THE SENATE HAS APPROVED LEGISLATION THAT

WOULD REQUIRE NOTIFICATION OF A SPECIAL ACTIVITY TO
CONGRESS WITHIN 48 HOURS OF A PRESIDENTIAL FINDING.

I BELIEVE THE PRESIDENT WILL VETO LEGISLATION THAT
REQUIRES THE CIA TO NOTIFY CONGRESS OF ALL COVERT
OPERATIONS WITHIN 48 HOURS. THERE IS A CONSTITUTIONAL
QUESTION ABOUT THIS LEGISLATION. ADDITIONALLY, SOME
ALLOWANCE MUST BE MADE FOR THAT RARE CASE WHERE LIMITED
DELAY IN CONGRESSIONAL NOTIFICATION IS CRITICAL TO
PRESERVE THE ABSOLUTE SECURITY OF AN OPERATION -- WHEN,
FOR EXAMPLE, LIVES ARE AT STAKE.

BUT THE CIA'S RELATIONSHIP WITH CONGRESS IS CRUCIAL.
BECAUSE I KNOW OF THE NEED TO BE ABSOLUTELY CANDID WITH
CONGRESS, AND THE RESPONSIBILITY THAT INTELLIGENCE
PROFESSIONALS HAVE TO PROTECT SOURCES AND METHODS, I HAVE
ESTABLISHED GUIDELINES GOVERNING OUR DEALINGS WITH
CONGRESS. AND I HAVE MADE IT ABSOLUTELY CLEAR THAT IN
DEALING WITH CONGRESS THERE IS NO EXCUSE FOR DECEPTION.

THERE MAY BE SOME QUESTIONS THAT THE AGENCY OFFICIALS WHO BRIEF CONGRESS WILL HAVE TO REFER BACK TO ME. I AM PREPARED TO TAKE THE HEAT OR WORK OUT ARRANGEMENTS WITH CONGRESS. BUT WE WILL NOT GIVE HALF ANSWERS OR AROUND-THE-CORNER ANSWERS. THAT'S NOT THE WAY I OPERATE. IF THERE IS A PROBLEM, WE WILL SAY THERE IS A PROBLEM, AND THAT WE CANNOT ANSWER THE QUESTION AT THIS TIME. BUT WE WILL NOT LEAVE THE CONGRESS FEELING THAT IN SOME WAY WE HAVE BEEN DISINGENUOUS WITH THEM. I THINK TENSION BETWEEN CONGRESS AND THE EXECUTIVE BRANCH WILL ALWAYS EXIST, BUT WE WILL BE ABLE TO WORK IT OUT IF THERE IS AN ELEMENT OF TRUST IN THE HONESTY OF THE STATEMENTS WE MAKE.

I FIRMLY BELIEVE THAT THE OVERSIGHT RESPONSIBILITIES EXERCISED BY CONGRESS ARE BOTH NECESSARY AND BENEFICIAL. THERE MUST BE A DEPENDABLE SYSTEM OF OVERSIGHT AND ACCOUNTABILITY THAT BUILDS, RATHER THAN ERODES, TRUST

BETWEEN THOSE WHO HAVE THE INTELLIGENCE RESPONSIBILITY AND THOSE WHO ARE THE ELECTED REPRESENTATIVES OF THE AMERICAN PEOPLE.

WE PROVIDE A GREAT DEAL OF INFORMATION TO CONGRESS. LAST YEAR ALONE WE GAVE OVER 1,000 BRIEFINGS TO CONGRESS ON A VARIETY OF TOPICS. THESE TOPICS INCLUDE ARMS CONTROL, SOVIET WEAPONS, THE PERSIAN GULF SITUATION, THE CONFLICTS IN CENTRAL AMERICA, AND EVEN THE SPREAD OF AIDS IN AFRICA.

THE INFORMATION WE PROVIDE TO CONGRESS AND POLICYMAKERS MUST BE DEVELOPED IN AN OBJECTIVE WAY. THE DIRECTOR OF CENTRAL INTELLIGENCE AND THE PEOPLE WHO ANALYZE INFORMATION MUST BE SEEN AS GIVING THE BEST ESTIMATES, NOT TO "COOK THE BOOKS" OR TO SHAPE OR INFLUENCE POLICY, BUT TO PROVIDE POLICYMAKERS WITH THE KIND OF INFORMATION UPON WHICH THEY CAN MAKE WISE DECISIONS IN THE INTERESTS OF OUR NATIONAL SECURITY.

BECAUSE THE QUALITY AND OBJECTIVITY OF THE INTELLIGENCE WE PROVIDE IS SO IMPORTANT. WE HAVE AND WILL CONTINUE TO "TELL IT LIKE IT IS " AVOIDING BIAS AS MUCH AS WE CAN. ON THE OTHER SIDE OF THE COIN, POLICYMAKERS MAY NOT LIKE THE MESSAGE THEY HEAR FROM US, ESPECIALLY IF THEY HAVE A DIFFERENT POINT OF VIEW. MY POSITION IS THAT IN THE PREPARATION OF INTELLIGENCE JUDGMENTS, PARTICULARLY NATIONAL INTELLIGENCE ESTIMATES, WE WILL PROVIDE THEM FOR THE USE OF POLICYMAKERS. THEY CAN BE USED IN WHOLE OR IN PART. THEY CAN BE IGNORED, TORN UP, OR THROWN AWAY. BUT THEY CANNOT BE CHANGED.

I THINK THIS KIND OF INSISTENCE ON OBJECTIVITY MAY BE ONE OF THE MOST SIGNIFICANT CONTRIBUTIONS THAT I COULD MAKE IN GALVANIZING A COHESIVE INTELLIGENCE COMMUNITY WITHOUT COMPROMISING THE INTEGRITY OF THE INDIVIDUAL ANALYST OR PROGRAM MANAGERS.

I HAVE FREQUENTLY MADE THE POINT THAT IN THIS ORGANIZATION, WE ARE GOING TO HAVE TO TAKE RISKS, BUT THE RISKS HAVE TO BE ASSOCIATED WITH CERTAIN KINDS OF PRINCIPLES -- PRINCIPLES WITH WHICH THE PUBLIC IS COMFORTABLE. THE RISKS MUST NOT PUT US AFOUL OF THE CONSTITUTION OR OUR LAWS.

AMERICANS, ABOVE ALL, NEED TO BELIEVE THAT THE INSTITUTIONS AND LAWS OF THIS COUNTRY ARE WORKING FOR THEM -- NOT AGAINST THEM. THEY NEED TO BELIEVE THAT LAWS ARE APPLIED FAIRLY AND CONSISTENTLY, AND THAT THERE IS AN ADEQUATE SYSTEM OF REDRESS. THEY ALSO NEED TO BELIEVE THAT THEIR GOVERNMENT IS RESPONSIVE, ACCOUNTABLE, AND NOT ABOVE THE LAW.

THERE HAVE BEEN SEVERAL TIMES DURING MY CAREER WHEN I'VE BEEN CALLED TO LEAVE THE PRIVATE PRACTICE OF LAW, ALTHOUGH I STILL THINK I'M ON LOAN -- AND IT'S GETTING TO

BE A LONG LOAN. AND EVERY TIME I'VE BEEN ASKED TO MOVE TO SOMETHING ELSE, I'VE LEARNED A LITTLE MORE ABOUT THE DIMENSIONS OF THE LAW AS IT APPLIES TO OUR CITIZENS. IN THIS NEW ASSIGNMENT I HAVE NOT LEFT THE LAW. IT IS VERY MUCH A PART OF THIS ADVENTURE.

AS I WAS COMING HERE TODAY, I WAS THINKING OF A PICTURE AND QUOTATION THAT APPEARED ON THE COVER OF THE ST. LOUIS BAR JOURNAL WHEN I WAS ITS EDITOR IN THE EARLY 1950'S. THE LAW STUDENT IN THE PICTURE WAS LOOKING OFF INTO THE FUTURE. AND THE QUOTATION, WHICH I PERSONALLY SELECTED FROM JUDGE LEARNED HAND, SAID, "DESCENDED TO US, IN SOME PART MOLDED BY OUR HANDS, PASSED ON TO SUCCEEDING GENERATIONS WITH REVERENCE AND WITH PRIDE, WE AT ONCE ITS SERVANTS AND ITS MASTERS, RENEW OUR FEALTY TO THE LAW." WONDERFUL WORDS.

I THANK YOU FOR THE OPPORTUNITY TO SPEAK WITH YOU
TODAY ABOUT WHAT WE HAVE DONE THIS PAST YEAR AT THE CIA,
AND TO SHARE WITH YOU OUR REAFFIRMATION TO THE RULE OF
LAW.